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November 18, 1999

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, DC 20231

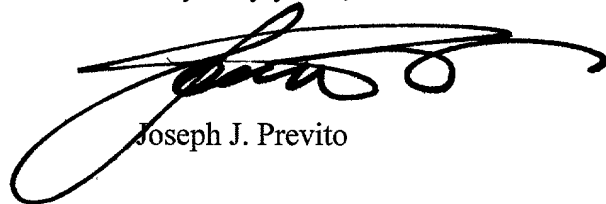
Re: Patent Application of Daniel Jacoff
for VIAL AND METHOD OF
MAKING SAME

Dear Sir:

Enclosed herewith please find:

1. The above-identified patent application executed on November 8, 1999, together with 4 sheets of drawings, description and claims, declaration and power-of-attorney.
2. Assignment of the above-identified application to Great Neck Saw Manufacturers, Inc., executed , November 8, 1999.
3. Our check for \$1328.00 to cover the filing fees for the patent application and the recording fee for the Assignment. If this amount is not correct, please charge any deficiency or credit any overpayment to our Account No. 50-0874.

Very truly yours,



Joseph J. Previto

JJP/fz
Enclosures

66221-1924460

VIAL AND METHOD OF MAKING SAME

Background

The present invention relates to a vial and more particularly to a vial for a carpenter level.

Vials are mounted in a carpenter level and comprise a transparent cylindrical tube having an inner hollow cavity. The hollow cavity is sealed at both ends and is filled almost to capacity with a liquid so that a visible bubble remains in the hollow cavity. In order to determine whether a particular surface is level (usually to the horizontal), the carpenter level is placed against the surface. If the bubble within the vial cavity moves to a central position in the vial cavity it indicates that the surface is level. If the bubble moves to one side or the other of the vial cavity center, it indicates that the surface is not level.

Ordinarily vials used for this purpose have a hollow inner cavity which is straight walled and substantially parallel to the outer cylindrical wall of the vial. An undercut is formed in the straight inner cavity into which the bubble lodges in order to give an accurate indication of

whether a particular surface is level. Some existing vials are made curved so that the bubble will settle at the apex of the curve if the surface is level but will shift to an area along the edges of the curved vial if the surface is not level.

Since the vials are curved, it is especially difficult to accurately locate them in carpenter levels without precision tools. If for some reason the vials are not precisely located in a carpenter level, the instrument is not accurate. Moreover, it is important for the curved vials and the carpenter levels in which they are mounted to be consistently uniform so that accurate readings are obtained regardless of which particular level is used. These curved vials are often made of soft plastic to facilitate manufacture so that they easily scratch. In addition, existing vials are not always as sensitive as they should be so that their accuracy is compromised.

Objects

The present invention overcomes these difficulties and has one of its objects the provision of an improved vial which is more accurate.

Another object of the present invention is the provision of an improved vial which has a curved fluid receiving cavity.

Another object of the present invention is the provision of an improved vial which can easily be placed accurately in a level without precision tools.

Another object of the present invention is the provision of an improved vial which eliminates the need for an internal undercut in existing straight vials.

Another object of the present invention is the provision of the improved vial which is more sensitive than existing vials.

Another object of the present invention is the provision of the improved vial which may be made from harder plastic materials thereby making the vials more resistant to scratching.

Another object of the present invention is the provision of an improved method of making a vial with a curved configuration.

Other and further objects will be obvious upon the understanding of the illustrative embodiment about to be described, or which will be indicated in the appended claims, and various advantages not referred to herein, will occur to one skilled in the art upon employment of the invention in practice.

DRAWINGS

A preferred embodiment of the invention has been chosen for the purposes of illustration and description and is shown in the accompanying drawings forming a part of the specifications wherein.

Fig. 1 is a sectional view of a vial made in accordance with the present invention.

Fig. 1A is a sectional view taken along level 1A-1A of Fig. 1.

Fig. 2 is a simplified diagrammatic view showing the one step in the manufacture of the vial of the present invention.

Fig. 3 is a similar view showing another step in the manufacture of the vial of the present

invention.

Fig. 4 is a similar view showing still another step in the manufacture of the vial of the present invention.

Fig. 5 is a similar view showing the last step in the manufacture of the vial of the present invention.

Fig. 6 is a diagrammatic plan view showing the vial of the present invention assembled in a carpenter level.

Fig. 7 is a sectional view taken along line 7-7 of Fig. 6.

Fig. 8 is a one side view of the vial of the present invention.

Fig. 9 is another side view of the vial of the present invention.

Fig. 10 is an end view of the vial of the present invention.

Fig. 11 is a sectional view taken along line 11-11 of said Fig.10.

Fig. 12 is a plan view of another embodiment of the present invention.

Fig. 13 is a sectional view taken along line 13-13 of Fig. 12.

Fig. 14 is a side view of the vial of this embodiment.

Fig. 15 is an end view thereof.

Fig. 16 is a sectional view thereof.

Description

In general, the improved vial 1 of the present invention is shown in Fig.1 and comprises a transparent body 2 having an outer cylindrical straight wall 3 and an internal hollow cavity 4. An end wall 5 is provided at one end thereof and the other end 6 is open and adapted to receive a cap 7 to seal the cavity 4. The inner hollow cavity 4 is curved with the apex 8 of the curve being higher than the ends 9. i.e. the apex 8 is closer to the outer wall 3 than its ends 9 are. The cavity 4 is in the form of a uniform arc having a substantially uniform cross section throughout its length. The cavity 4 has spaced sides 10 (Fig. 1A) at an angle of 90 degrees from the apex 8. Planes tangent to the sides 10 are parallel to each other and perpendicular to a plane tangent to the apex 8.

A liquid 15 is inserted into cavity 4 before the cavity 4 is sealed by end cap 7. The cavity 4 is not completely filled with the liquid 15 in order to leave an air bubble 16 movable within the cavity 4. The bubble 16 in the liquid 15 will assume a position at the apex 8 of the curved cavity 4 when the surface being tested is level. However, if the surface is not level, the bubble 16 will move from the apex 8 toward either end 9.

Figs.2 to 5 show diagrammatically the preferred method of manufacturing the vial 1 of the present invention. The mold M comprises a core pin assembly 20 having a base 21 and a core pin 22 extending from the base 21. The core pin 22 is tapered slightly at its inner portion 23 and its outer portion 24 is slightly curved. The curved outer portion 24 curved with a substantially uniform curve and terminates in a flat end 25. A stripper insert 26 having a tapered central opening 27 is mounted over the core pin 22 and rests on the base 21. The tapered opening 27 of the stripper insert 26 conforms to the tapered inner portion 23 in the core pin 22 so that it sits snugly thereon. A cavity block 30 having a central opening 31 with a straight

the mold M and is removed from the mold (Fig.4) by moving the stripper insert 26 upwardly in a straight line parallel to the molding direction and perpendicular to the base 21 of the core pin assembly 20 so that its upper surface 28 (on which the vial rests) pushes the vial off the core pin 22. The vial 1 will follow the curvature of the curved portion 24 of the inner core pin 22 as the vial 1 is being pushed off the core pin 22. The tapered lower portion 23 of the core pin 22 facilitates the release of the vial 1 by the insert stripper 26. As shown in Fig. 5, the last step in the process is the complete removal of the vial 1 from the core pin 22. The curved portion 24 of the core pin 22 does not interfere with the straight movement of the stripper 26 because the tapered opening 27 therein causes opening 27 to distance itself away from the core pin 22 as the insert stripper 26 is being moved up and away from the base 21. It also possible to remove the vial 1 by using a sleeve knock out (not shown) around the core pin 22 or to rotate the insert stripper 26 off the core pin 22 while following the curve of the bend 24 if larger radiuses are desired. Also, if desired, an air blow off could eject the vial 1 from the core pin 22 after it is partially lifted off the core pin 22.

With the vial 1 formed by the method set forth above it may be partially filled with liquid 15, sealed by cap 7 and mounted on a carpenter level 50 as shown in Figs. 6 to 11. The carpenter level 50 has a body portion or web 51 connecting a pair of opposed straight parallel rails 52. A circular vial receiving opening 53 is formed in the web 51 having a pair of opposed spaced vial holding notches 54. Each notch 54 has a flat outer edge 55 and opposed flat parallel side edges 56 at right angles to edge 55. The ends 5 and 6 of the vial 1 are placed in the opposed notches 54 and held in place in any well know manner. The vial 1 is so oriented in the opening 53 that the apex 8 of the cavity 4 is closest to a rail 52, i.e.. a plane tangent to the apex 8 is parallel to the rails 52. With this structure, in order to determine whether a particular surface is level, one of the rails 52 is placed against the surface and if the bubble 16 in the liquid 15 is at the apex 8 of the curved cavity 4 the surface is level - - - otherwise, the surface is not level.

In the embodiment shown Figs. 6-11, the vial 1 is provided with a pair of keys 57 extending outwardly from one end (preferably the open end 6) of the vial 1 and in opposite

direction from each other. The keys 57 have straight edge and side walls 58 and 59 tangent to the outer circular walls 3 of the vial 1 and at right angles to each other. The side walls 59 are parallel to a plane tangent to the apex of 8. Since the notches 54 in the level which receive the vial are square, by placing the keys 57 against the outer and side edges 55-56 of one of the notches 54 the vial is automatically oriented in the correct position with the apex 8 of the curved inner cavity 4 to be closest to one of the outer rails 52 i.e. a plane tangent to the apex 8 is parallel to the rails 52. When assembled in this manner, the vial 1 automatically will assume the proper orientation in the carpenter level without the necessity of using precision tools.

The embodiment shown in Figs.12-16 discloses a carpenter level 50 with a pair of vials 1. The carpenter level in Fig. 12 is the same as the carpenter level in Fig. 6 with the same parts referred to by the same reference characters. However, the notches 60 in opening 53 are wide enough to accommodate two vials 1 side-by-side and have a wider outer edge 61 with opposed

side edges 62 at right angles to the outer edge 61. Each vial 1 has keys 57 similar to keys 57 in

Fig. 6-12 extending from one side of the vial adjacent the open end 6 and curved flanges 65

extending from the other side of the open end 6. The curved flanges 65 extend in opposite

directions from each other and opposite to the direction of the keys 57. Each flange 65 has a

straight wall 66 tangent to the outer wall 3 of the vial 1 and on the same plane as the side wall 58

of the keys 57. Each flange 65 also has a curved surface 67 extending from the edge of the

straight wall 66 to the outer wall 3 of the vial 1 and conforming to the curvature of said outer

wall 3. The curved flanges 65 of one vial 1 abut against the curvature of the other vial that is

next to it so as to orient the two and prevent them from rolling relative to each other. The two

vials 1 are placed side-by-side in the notches 61 so that they fit snugly in the notches 61. They

are placed in reverse position so that the keys 57 and flanges 65 at the end of one vial are

opposite the keys 57 and flanges 65 at the end of the other vial. Hence, cap end 7 of one vial will

lie opposite the end cap 7 of the other vial. When the two vials 1 are placed side-by-side in

notches 61 with the closed ends 5 facing in opposite directions, the flanges 57 will properly

located the vials 1 in the notches 61 with respect to the rails 52 and the flanges 65 will orient the two vials with respect to each other.

It will thus be seen that the present invention provides an improved vial which is more accurate, which has a curved fluid receiving cavity and which can easily be placed accurately in a level without precision tools. The present invention also provides an improved vial which eliminates the need for an internal undercut in existing straight vials, which is more sensitive than existing vials, which may be made from harder plastic materials to resist scratching. In addition, the present invention provides an improved method of making a vial with a curved configuration.

As many varied modifications of the subject matter of this invention will become apparent to those skilled in the art from the detailed description given herein above, it be understood that the present invention is limited only as provided in the claims appended hereto.

THE EMBODIMENTS OF THE INVENTION IN WHICH AN EXCLUSIVE
PROPERTY OR PRIVILEGE IS CLAIMED ARE DEFINED AS FOLLOWS:

- 1 A vial comprising an outer wall, said outer wall being straight and cylindrical, an inner cavity, said inner cavity being curved.
- 2 A vial as set forth in Claim 1, wherein the inner cavity is curved in a substantially uniform arc having an apex, opposed ends spaced from the apex and opposed spaced sides at an angle of 90 degrees from the apex.
- 3 A vial as set forth in Claim 2, wherein the apex of the curved inner cavity is closer to the cylindrical outer wall of the vial than the ends of the inner cavity.
- 4 A vial as set forth in Claim 3, wherein the said cavity is substantially uniform in cross section throughout its length.
- 5 A vial as set forth in Claim 4, wherein planes tangent to the sides of the cavity are parallel to each other and at right angles to a plane tangent to said apex.

6 A vial as set forth in Claim 5, wherein one end of said cavity terminates in an end wall.

7 A vial as set forth in Claim 6, wherein the other end of said cavity is open and wherein a cap is adapted to close the said open end.

8 A vial as set forth in Claim 6, wherein the other end of said cavity is open and a pair of keys extend from the outer wall of said vial adjacent said open end, said keys extending in opposite directions from each other.

9 A vial as set forth in Claim 8, wherein each of said keys have edge and side walls at right angles to each other, said walls being tangent to the outer wall of the vial with one of said walls being parallel to the plane tangent to the apex of the cavity.

10 A vial as set forth in Claim 9, wherein a pair of flanges extend from said vial adjacent said open end in directions opposite from each other and opposite to the directions of the keys.

- 11 A vial as set forth in Claim 10, wherein each of said flanges has a straight wall tangent to the outer wall of the vial and on the same plane as the plane of a side wall of the keys and a curved surface extending from the end the straight wall to the outer wall of the vial, said curved surface conforming to the curvature of the outer wall of the vial.
- 12 A vial as set forth in Claim 11, wherein a cap is mounted in said open end.
- 13 A level having a pair of opposed parallel rails, a web perpendicular to said rails and connecting the rails together, a vial-receiving opening in said web, said vial-receiving opening having opposed notches therein, said opposed notches having an end wall and spaced side walls at right angles to said end wall, a vial mounted in said vial-receiving opening, the opposed ends of the vial being mounted in the opposed notches, said vial comprising an outer wall, said outer wall being straight and cylindrical, an inner cavity within said vial, said inner cavity being curved.

- 20 A level as set forth in Claim 19, wherein a pair of keys extend from the outer wall of said level adjacent said open end, said keys extending in opposite directions from each other, said keys adapted to be received in the opposed notches.
- 21 A level as set forth in Claim 20, wherein each of said keys have edge and side walls at right angles to each other, said walls being tangent to the outer wall of the vial with one of said walls being parallel to the plane tangent to the apex of the cavity, said edge and side walls adapted to abut the end and side walls of the notches.
- 22 A level as set forth in Claim 21, wherein a pair of flanges extend from said vial adjacent said open end in directions opposite from each other and opposite to the directions of the keys.
- 23 A level as set forth in Claim 22, wherein each of said flanges has a straight wall tangent to the outer wall of the vial and on the same plane as the plane of a side wall of the keys, a curved surface extending from the end the straight wall to the outer wall of the vial, said curved surface conforming to the curvature of the outer wall of the vial.

- 24 A level as set forth in Claim 23, wherein a pair of vials are mounted side-by-side in said vial-receiving opening with the ends of vials mounted in said notches.
- 25 A level as set forth in Claim 24, wherein the keys and flanges at the end of one vial are mounted in one notch and the keys and flanges at the end of the other vial are mounted in the other notch.
- 26 A mold for making a vial comprising a pin assembly having a base and a core pin extending therefrom, a stripper insert removably mounted on said base, a cavity block overlying and removably mounted on the stripper insert, said core pin having a curved portion, said cavity block having an opening, said curved core pin portion extending into the cavity block opening, the walls of the cavity block opening being spaced from the curved portion of the core pin.
- 27 A mold as set forth in Claim 26, wherein the core pin has an upper portion and a lower portion, the upper portion of the core pin being curved.

- 28 A mold as set forth in Claim 27, wherein said stripper block has an opening surrounding the lower part of said core pin.
- 29 A mold as set forth in Claim 28, wherein the opening in the cavity block has a straight cylindrical wall wider than the thickness of the curved core pin portion in order to leave a space between the curved core pin portion and the said wall.
- 30 A mold as set forth in Claim 29, wherein the lower portion of the core pin is tapered and adjacent to the base and wherein the opening in the stripper insert is correspondingly tapered.
- 31 A mold as set forth in Claim 30, wherein means are provided to insert a plastic material in the space between the curved core pin and the cavity block in order to form a vial, the lower end of which rests on the stripper insert.
- 32 A mold as set forth in Claim 31, in which means are provided to remove the cavity block

33 A mold as set forth in Claim 32, in which means are provided to move the stripper insert off the base to push the formed vial off the curved core pin portion, said moving means adapted to move the stripper insert in a straight path over the curved core pin portion.

34 A mold as set forth in Claim 33 wherein the tapered opening in the stripper insert is wide enough to be spaced from the curved core pin portion when it is moved thereover.

35 A method of making a vial having an outer wall and an inner cavity comprising the steps of forming the outer wall in a straight cylindrical configuration, forming the inner cavity of the vial in a curve, said inner cavity and the outer straight cylindrical wall being formed simultaneously.

36 A method as set forth in Claim 35, wherein the inner cavity is formed curved in a substantially uniform arc having an apex with opposed ends spaced from the apex and with opposed spaced sides at an angle of 90 degrees from the apex.

- 37 A method as set forth in Claim 36, wherein the apex of the curved inner cavity is formed closer to the cylindrical outer wall of the vial than the ends of the inner cavity.
- 38 A method as set forth in Claim 37, wherein the said cavity is formed substantially uniform in cross section throughout its length.
- 39 A method as set forth in Claim 38, wherein planes tangent to the sides of the cavity are formed parallel to each other and at right angles to a plane tangent to said apex.
- 40 A method as set forth in Claim 39, wherein one end of said cavity is formed terminating in an end wall.
- 41 A method as set forth in Claim 39, wherein the other end of said cavity is formed open.
- 42 A method as set forth in Claim 41, wherein a pair of keys are formed extending from the outer wall of said vial adjacent said open end, said keys extending in opposite directions from each other.

- 43 A method as set forth in Claim 42, wherein each of said keys is formed with edge and side walls at right angles to each other, said walls being tangent to the outer wall of the vial, with one of said walls being parallel to the plane tangent to the apex of the cavity.
- 44 A method as set forth in Claim 43, wherein a pair of flanges are formed extending from said vial adjacent said open end in directions opposite from each other and opposite to the directions of the keys.
- 45 A method as set forth in Claim 44, wherein each of said flanges is formed having a straight wall tangent to the outer wall of the vial and on the same plane as the plane of a side wall of the keys and a curved surface extending from the end the straight wall to the outer wall of the vial, said curved surface conforming to the curvature of the outer wall of the vial.

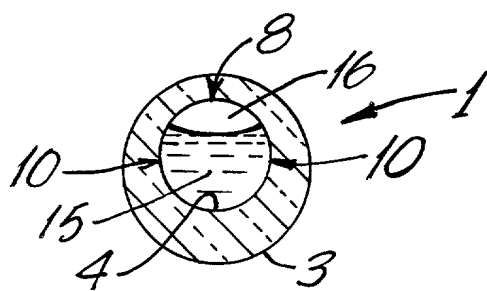
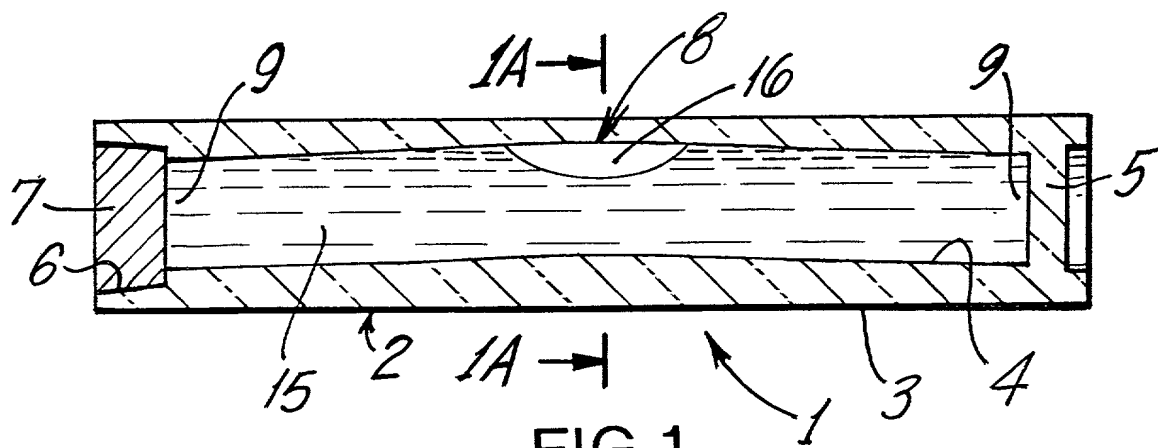
VIAL AND METHOD OF MAKING SAME

Abstract

A vial having an outer wall which is straight and cylindrical and a curved inner cavity.

The inner cavity is curved in a substantially uniform arc. The apex of the curved cavity is closer to the cylindrical outer wall of the vial than the ends of the inner cavity. The inner cavity is

substantially uniform in cross section throughout its length.



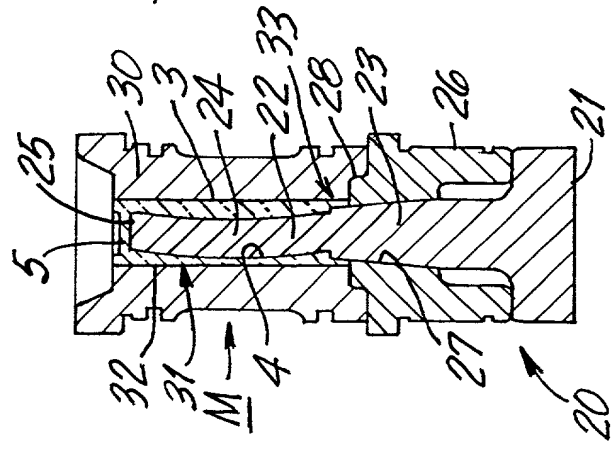


FIG.2

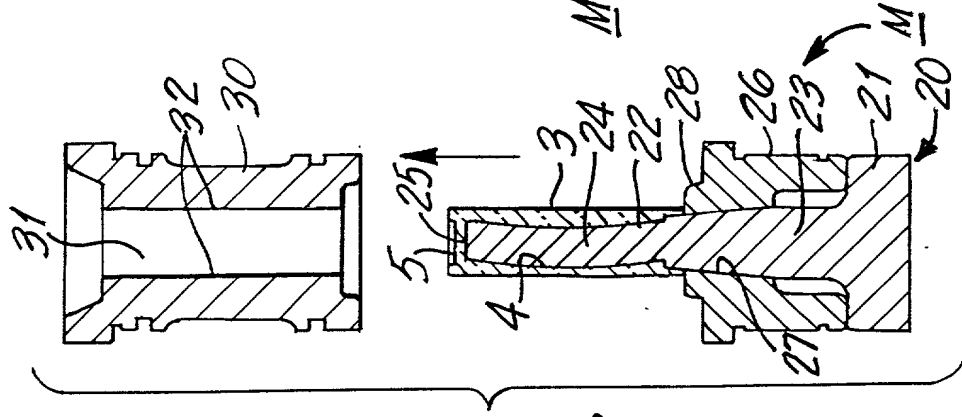


FIG.3

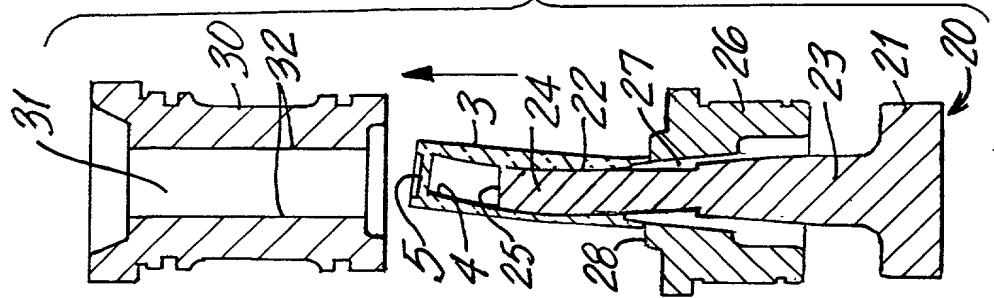


FIG.4

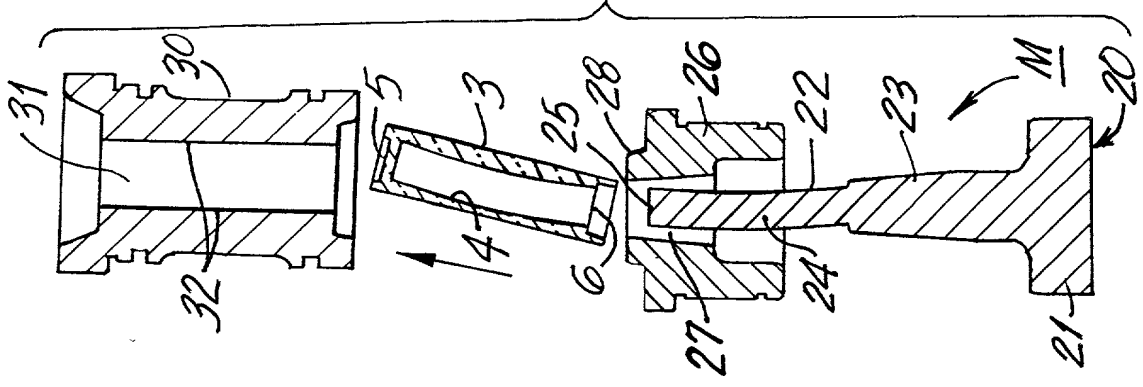


FIG.5

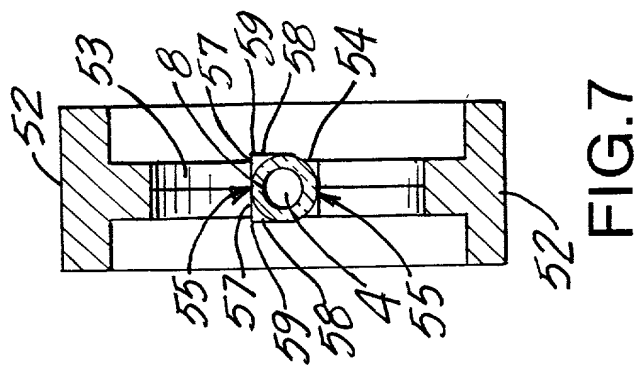
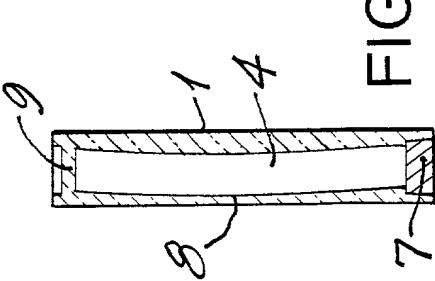
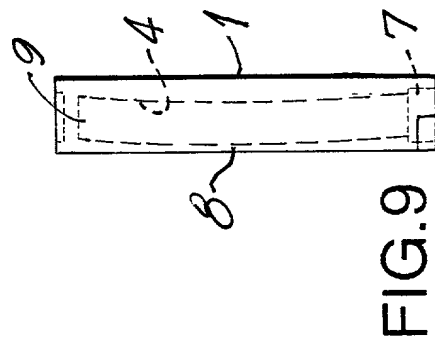
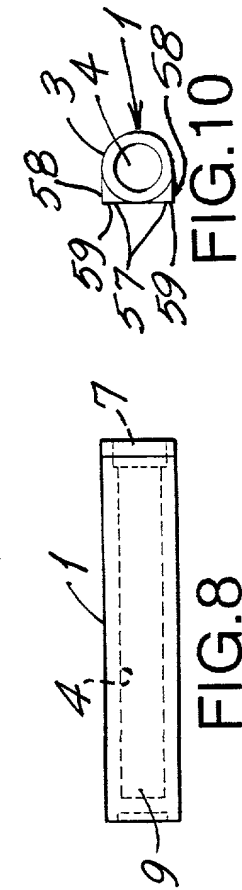
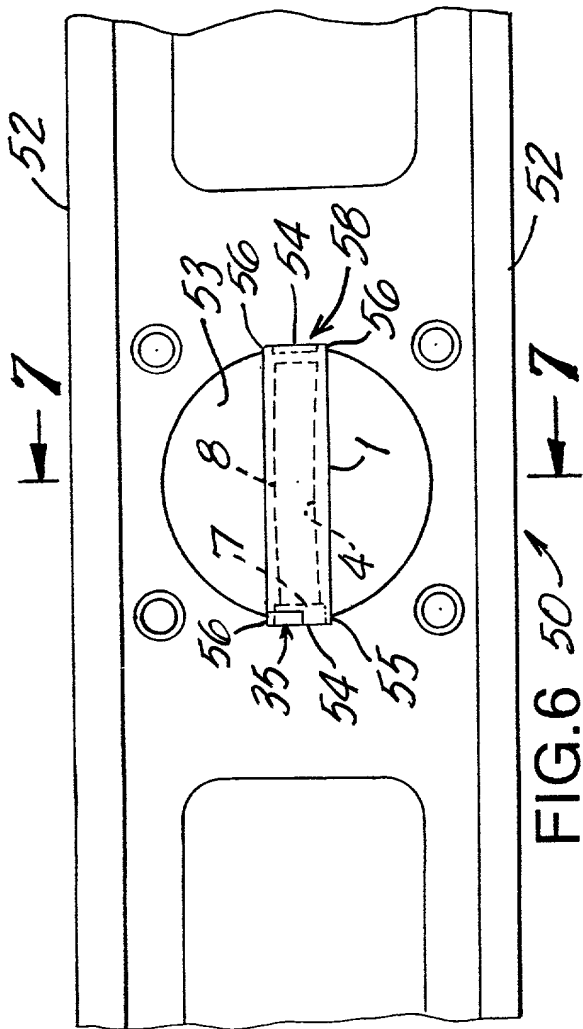
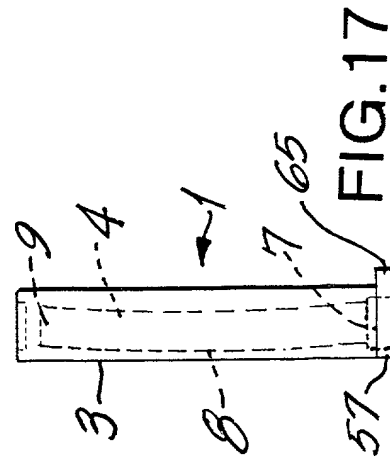
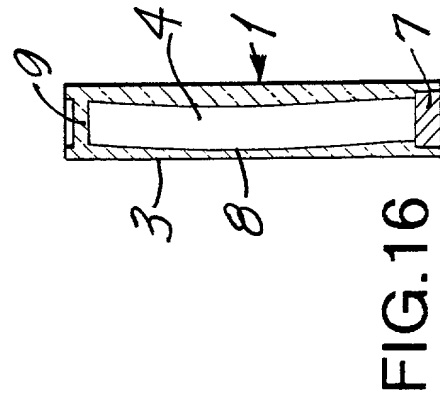
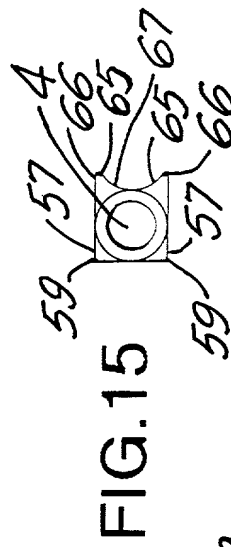
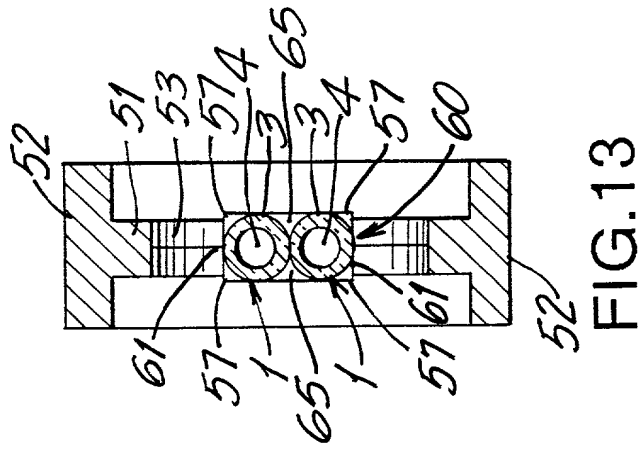
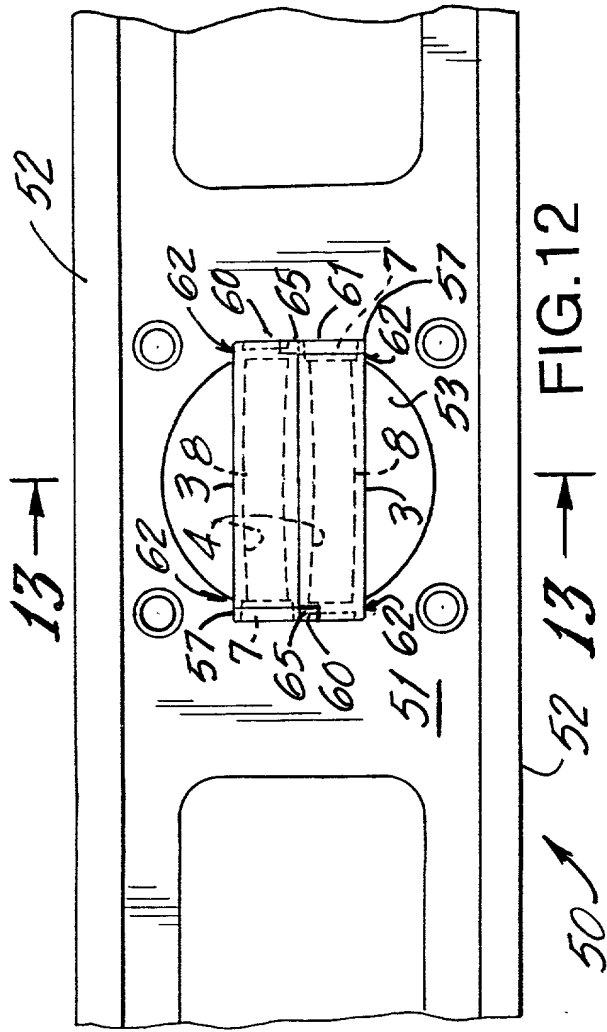


FIG. 11



DECLARATION FOR PATENT APPLICATION

Docket Number

As 2 below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled VIAL AND METHOD OF MAKING SAME, the specification of which

is attached hereto unless the following box is checked:

☐ was filed on _____ as United States Application Number or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s) _____ Priority Claimed ☐ Yes ☐ No
 _____ (Number) _____ (Country) _____ (Day/Month/Year Filed) ☐ Yes ☐ No
 _____ (Number) _____ (Country) _____ (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

 (Application Number) _____ (Filing Date)

 (Application Number) _____ (Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

 (Application Number) _____ (Filing Date) _____ (Status -- patented, pending, abandoned)

 (Application Number) _____ (Filing Date) _____ (Status -- patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

JOSEPH J. PREVITO Reg. No. 17,703
 Address all telephone calls to JOSEPH J. PREVITO at telephone number (516) 869-5950
 Address all correspondence to JOSEPH J. PREVITO
1077 NORTHERN BOULEVARD
ROSLYN, NEW YORK
11576-1696

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) DANIEL JACOFF
 Inventor's signature [Signature] Date 11/1/99
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 Post Office Address 165 East Second Street
Mineola, New York 11501

Full name of second joint inventor, if any (given name, family name) _____
 Second inventor's signature _____ Date _____
 Residence _____ Citizenship _____
 Post Office Address _____

Full name of second joint inventor, if any (given name, family name) _____
 Second inventor's signature _____ Date _____
 Residence _____ Citizenship _____
 Post Office Address _____

☐ Additional inventors are being named on separately numbered sheets attached hereto.